

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 7709 OF 2005
IN
CRIMINAL APPEAL NO. 887 OF 2004

Anant Sakharam Mokal ..Applicant/
Accused

versus

The State of Maharashtra ..Respondents

Mr. R. Shirodkar for the Applicant / Accused.

Mrs. V. R. Bhosale, APP for the Respondents -
State.

CORAM : D. G. DESHPANDE, &
V. M. KANADE, JJ.

DATE : 8TH DECEMBER, 2005

P.C. :

1. Heard.

2. Appeal of the accused is admitted. He is convicted under Section 302 of I.P.C. for causing the death of his wife. There was a petty quarrel between the husband and wife, over which the accused is alleged to have inflicted two blows with a kitchen knife. There are no eye witnesses. The conviction is based on dying declaration, which

according to Mr. Shirodkar is not reliable due to contradictions. The accused is in custody since 2002. There are no criminal antecedents.

3. Looking to the nature of the offence and the use of kitchen knife and the cause of quarrel, the applicant - accused be released on P.R. bond of Rs.15,000/- (Rupees Fifteen Thousand) with one solvent surety in the like amount. The applicant - accused to attend Virar Police Station once in a month in the first week till the appeal is disposed of. Substantive sentence of the applicant - accused is suspended, till then. Mr. Shirodkar states that the applicant - accused has paid and deposited the fine amount. Criminal Application disposed of.

(D.G. DESHPANDE, J.)

(V. M. KANADE, J.)